



A-905-46

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

494

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE
1" = 200' ±

DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
LORELEY
WHITE MARSH
AREA

SHEET

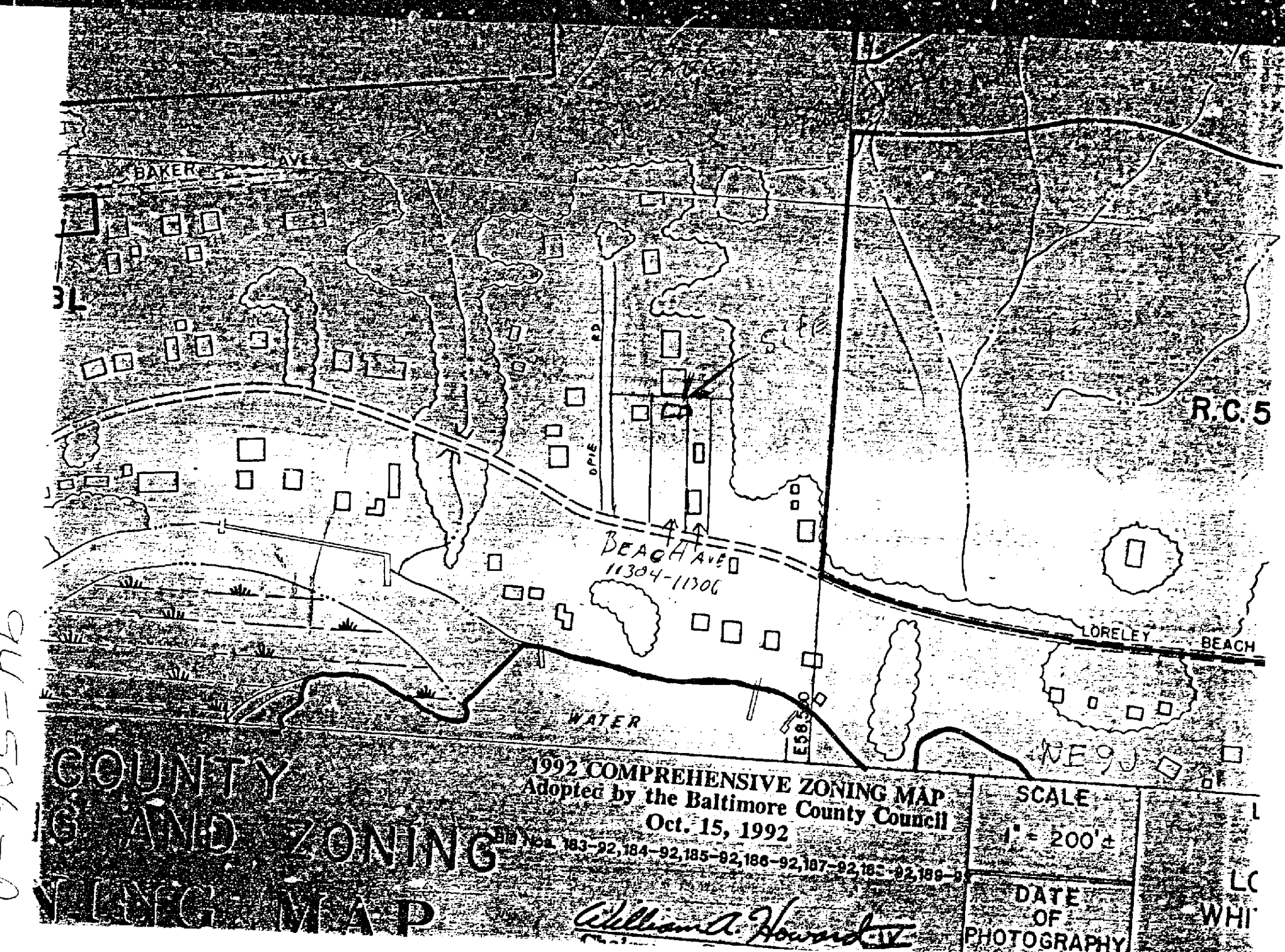
N.E.
9-J

CONNOLLY

The living area is designed with electric heat in mind. If you prefer another type of heat, a chimney will have to be added to accommodate a fireplace. The hot water heater and the furnace can be located beneath the stairs.

The kitchen—in the upper-level living quarters has a door leading to a deck, which is also accessible by a set of stairs. The back door has a deck and a set of stairs leading to the driveway. It is provided by two, double-hung windows. The dining/living area has a storage closet and a picture window that offers a view of the driveway area. Other features include a washer and dryer, full bath with linen closet, guest closet, and a storage

494 13



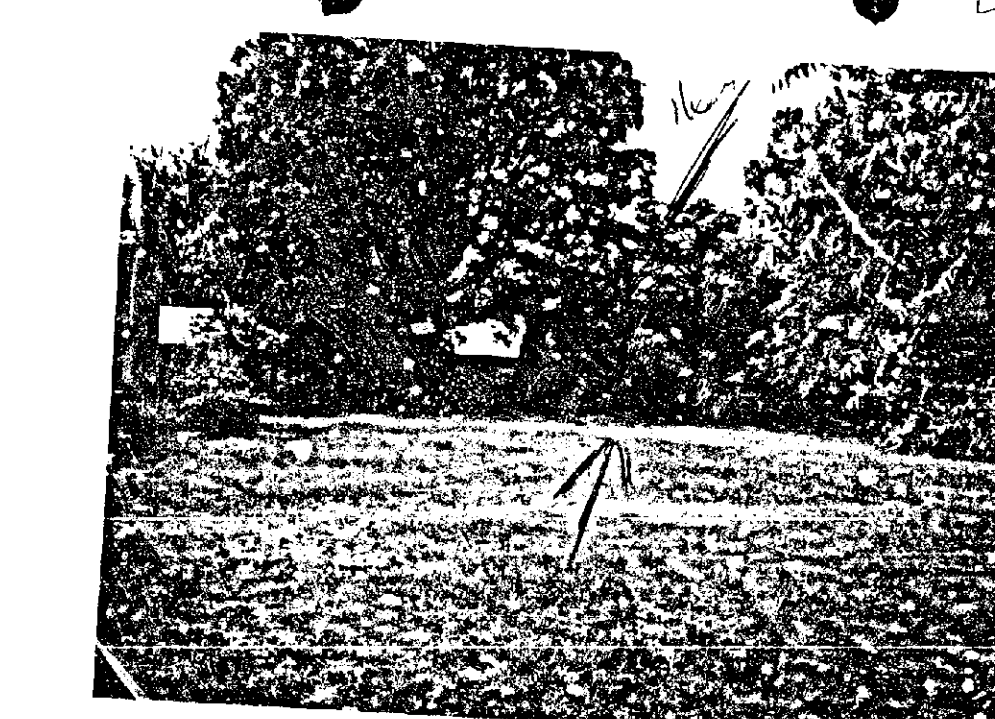
Next door neighbor home on left



Right side
1st window



Right Side last wooded



lot where garage is to be put

[illegible]

Item Number: 494
Planner: CAM
Date Filed: 10-15-94

PETITION PROCESSING FLAG

This petition has been accepted for filing, after an initial review, and has been placed on the agenda for the zoning advisory committee. However, the following items were found to be missing or incomplete when the petition was included on the agenda by Sophia. A copy of this "flag" will be placed in the case file for the Zoning Commissioner's review. The planner that accepted the petition for filing has the option of notifying the petitioner and/or attorney prior to the hearing or the Zoning Commissioner's review of the petition regarding the items noted below. If the petitioner/attorney is contacted by the planner, it is the petitioner's ultimate decision and responsibility to make a proper application, address any zoning conflicts, and to file revised petition materials if necessary. Delays and unnecessary additional expenses may be avoided by correcting the petition to the proper form.

Need an attorney

The following information is missing.

- Descriptions, including accurate beginning point
- Actual address of property
- Zoning
- Acreage
- Plats (need 12, only submitted)
- 200 scale zoning map with property outlined
- Election district
- Councilmanic district
- 2.28 section information and/or wording
- Hardship/practical difficulty information
- Owner's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
- Contract purchaser's signature (need minimum 1 original signature) and/or printed name and/or address
- Signature (need minimum 1 original signature) and/or printed name and/or title of person signing for legal owner/contract purchaser
- Power of attorney or authorization for person signing for legal owner and/or contract purchaser
- Attorney's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
- Notary Public's section is incomplete and/or incorrect and/or commission has expired
- OWNER'S ZIP CODE

PET-FLAG (TXTSOPH)
11/17/93

111 West Chesapeake Avenue
Towson, MD 21204

Baltimore County Government
Office of Zoning Administration
and Development Management



(410) 887-3353

July 1, 1994

Mr. Daniel Dupont
112 North Janney Street
Baltimore, Maryland 21204

RE: Case No. 94-506-A, Item No. 494
Petition for Administrative Variance
Petitioner: Daniel Dupont

Dear Mr. Dupont:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above-referenced petition, which was accepted for filing on June 15, 1994 and scheduled for a hearing accordingly. Any attached comments from a reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the hearing file.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1. The director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.



Maryland Department of Transportation
State Highway Administration

Secretary
Hal Kassoff
Administrator

6-21-94

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 494 (CAM)

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for DAVID N. CANNON, ACTING CHIEF
John Contestabile, Chief
Engineering Access Permits
Division

BS/

My telephone number is

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government
Fire Department



700 East Joppa Road, Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 06/22/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: SEE BELOW

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

2. The Fire Marshal's Office has no comments at this time. IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 493, 494, 495, 496, 497, 498, 499, 500 AND 501.

RECEIVED
JUN 23 1994

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4681, MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: July 5, 1994

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 487, 492, 496, 497, 500, 501, 506, 507 and 509.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: Jeffrey M. Long

Division Chief: Carolyn L. Kerns

PK/JL:lw

ZAC-491/PZONE/ZAC1

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: June 28, 1994

SUBJECT: 11306 Beach Avenue

INFORMATION:

Item Number: 494

Petitioner: Dupont Property

Property Size:

Zoning: R.C. 2

Requested Action:

Hearing Date:

SUMMARY OF RECOMMENDATIONS:

The applicant proposes to erect a very large building that could provide an opportunity for many non-residential uses. Therefore, should the applicant's request be granted, use of the building should be limited to storage purposes only.

Prepared by: Jeffrey M. Long

Division Chief: Carolyn L. Kerns

PK/JL:lw

ZAC-494/PZONE/ZAC1

Pg. 1

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

July 12, 1994

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

FROM: J. Lawrence Pilson, DEPRM
Development Coordinator, DEPRM

SUBJECT: Zoning Item #494 - Dupont Property
11306 Beach Avenue
Zoning Advisory Committee Meeting of June 27, 1994

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Environmental Impact Review

Development of the property must comply with Chesapeake Bay Critical Area Regulations by meeting the following conditions:

1. The sum of all man-made impervious areas shall not exceed 25% of the lot. Current impervious surfaces equal 1514 square feet or 7.2% of the lot.
2. All new downspouts must run across the lawn.
3. 15% forest cover is present and must be maintained.

JLP:KK:sp

DUPONT/DEPRM/TXTSRP

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

July 13, 1994

Mr. Daniel Dupont
112 North Janney Street
Baltimore, Maryland 21224

RE: Case No. 95-506-A, Item No. 494
Petition for Administrative Variance

Dear Mr. Dupont:

Enclosed are copies of comments received from the Department of Environmental Protection and Resource Management on July 12, 1994 for the above-referenced case.

If there are any questions, please do not hesitate to call me at 887-3391.

Sincerely,

Charlotte Minton
Charlotte Minton

Enclosure

RECEIVED
JUL 13 1994
ZONING COMMISSIONER

IN RE: PETITION FOR ADMIN. VARIANCE * BEFORE THE
N/S Beach Avenue, 107' E of * DEPUTY ZONING COMMISSIONER
Opie Road * OF BALTIMORE COUNTY
(11306 Beach Avenue) * Case No. 94-506-A
11th Election District
5th Councilmanic District
Daniel Dupont
Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the owner of the property, Daniel Dupont. The Petitioner seeks relief from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure height of 24 feet in lieu of the maximum permitted 15 feet for a proposed garage in accordance with the site plan submitted and marked as Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the

B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

It should be noted that this property is located within the Chesapeake Bay Critical Areas and as such, is subject to compliance with Critical Areas legislation. The Petitioners shall submit a findings plan for review and approval by the Department of Environmental Protection and Resource Management (DEPRM) prior to the issuance of any occupancy permits.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 13th day of July, 1994 that the Petition for Administrative Variance seeking relief from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure height of 24 feet in lieu of the maximum permitted 15 feet for a proposed garage, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) The Petitioner shall submit a findings plan for review and approval by DEPRM prior to the issuance of any occupancy permits.
- 3) The Petitioner shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartments. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.
- 4) Upon request and reasonable notice, the Petitioner shall permit a representative of the Zoning Enforcement

Division to make an inspection of the subject property to insure compliance with this Order in the event it becomes necessary to do so as a result of a complaint.

5) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

Baltimore County Government
Zoning Commission
Office of Planning and Zoning
Suite 113, Courthouse
400 Washington Avenue
Towson, MD 21204

July 13, 1994

(410) 887-4386

Mr. Daniel Dupont
112 North Janney Street
Baltimore, Maryland 21224

RE: PETITION FOR ADMINISTRATIVE VARIANCE
N/S Beach Avenue, 107' E of Opie Road
(11306 Beach Avenue)
11th Election District - 5th Councilmanic District
Daniel Dupont - Petitioner
Case No. 94-506-A

Dear Mr. Dupont:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration Office at 887-3391.

Very truly yours,

Timothy M. Kotroco

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Chesapeake Bay Critical Areas Commission
45 Calvert Street, 2nd Floor, Annapolis, Md. 21401

DEPRM; People's Counsel; File

Affidavit in support of 94-506-A
Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) believe(s) that it is true and correct in the event that a public hearing is held on the future with regard to the proposed variance at the above address. (Indicate whether or not the Affiant(s) is/are a resident of the property.)

That the Affiant(s) does/does not presently reside at: 11306 BEACH AVE 21062

Baltimore MD 21062

WHITE MARCA MD 21062

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (Indicate whether or not the Affiant(s) is/are a resident of the property.)

THE GARAGE IS OF A 2-STORY DESIGN AS ANOTHER

GARAGE IN THE IMMEDIATE VICINITY) AND THAT A 15

FOOT HEIGHT LIMITATION WOULD COMPROMISE THE

USABILITY OF THE INTERIOR SPACE & THE INTERIOR

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WOULD HAVE 6 FEET TO TOP OF ROOF TO INCLUDE USABLE SPACE FOR GARAGE

2) THAT BASED UPON PERSONAL KNOWLEDGE, THE UNDERSIGNED BELIEVE(S) THAT IT IS TRUE AND CORRECT

THAT AFFIANT(S) PERSONAL KNOWLEDGE IS THE BASIS FOR THIS AFFIDAVIT AND THAT AFFIANT(S) IS/ARE A RESIDENT OF THE PROPERTY

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Petition for Administrative Variance
to the Zoning Commissioner of Baltimore County
for the property located at 11306 BEACH AVE
which is presently zoned RC-2

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.3 TO ALLOW AN

Accessory Structure a height of 24' IN LIEU OF THE MAXIMUM

15'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

- see ATTACHED -

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessor

(Type or Print Name)

Signature

Address

City

State

Zip code

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City

State

Zip code

Notary Public

My Commission Expires:

RECEIVED BY: DATE: 7/13/94

TERMINATED POSTING DATE: 7/13/94

Printed with Soybean Ink on Recycled Paper

ITEM #: 494

EXAMPLE 3 - Zoning Description - 3 copies

Three copies are required. Copies of deeds cannot be used in place of this description. Use this fill-in format provided whenever possible; otherwise, type or print on 8-1/2" x 11" sheet.

ZONING DESCRIPTION FOR 11306 BEACH AVE

Election District 11 (address) Councilmanic District 5

Beginning at a point on the BEACH side of

(street on which property fronts) which is 17' PAVING

wide at a distance of 107 FT. EAST (number of feet) (north, south, east or west)

of the

intersection of the nearest improved intersecting street OPIE ROAD

which is 17 FT PAVING (number of feet of right-of-way width) wide. *Being Lot # 53+34

Block 10338 (name of subdivision) as recorded in Baltimore County Plat

Book WPC-7, Folio 187, containing

10,600 (square feet and acres)

*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision

description as shown, instead state: "As recorded in Deed

Libert 10338, Folio 187" and include the measurements and

directions (metes and bounds only) here and on the plat in the

correct location.

Example of metes and bounds: N. 87° 12' 13" E. 321.1 ft., S. 18°

27' 03" E. 87.2 ft., S. 62° 19' 00" W. 318 ft., and N. 08° 15'

22" W. 80 ft. to the place of beginning.

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

District: 11th Date of Posting: 7/13/94

Posted for: Variance

Petitioner: Daniel Dupont

Location of property: 11306 Beach Ave, 11th

Location of Sign: Beach Ave, on Property, facing road

Remarks:

Posted by: TMK Date of return: 7/14/94

Number of Signs: 1

Baltimore County
Zoning Administration &
Development Management
111 West Liberty Avenue
Towson, Maryland 21204

CRITICAL receipt
94-506-A

Date: 13 Jun 94
DUPONT - 11306 BEACH AVE
010 - 50
080 - 35
1585.00

Account: R 0016150

Number: 494

CAM

83403402001CHRC

64 C0101, 4AM06-15-94

\$85.00

Cashier Validation

Please Make Checks Payable To: Baltimore County



A-905-46

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

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SCALE
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DATE
OF
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LOCATION
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SHEET

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PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

H.O.
Please
Contact us
About this one
KATE



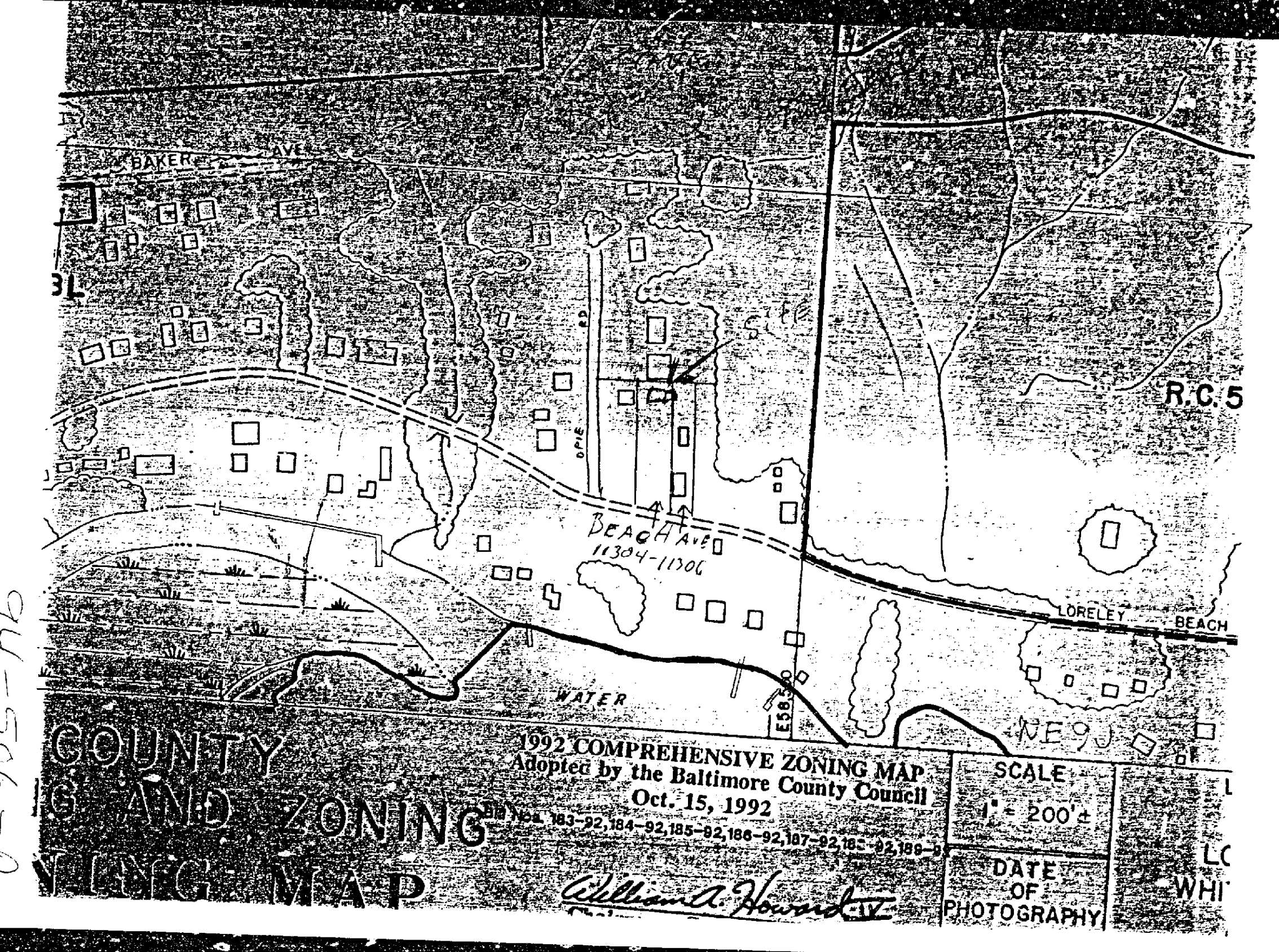
CONNOLLY

The Connolly is a 26' x 26' two-car garage with living quarters above. The beam and rafter columns are positioned so that they do not interfere with car placement.

The living area is designed with electric heat in mind. If you prefer another type of heat, a chimney will have to be added to accommodate the furnace flue. The water heater and the furnace can be located beneath the stairs.

The kitchen in the upper-level living quarters has a door leading to a deck, which is also accessible by a set of stairs. The bedroom has adequate closet space and cross ventilation, which is provided by two, double-hung windows. The dining/living area has a storage closet and a picture window that offers a view of the driveway area. Other features include a washer and dryer, full bath with linen closet, guest closet, and a storage closet.

494 139



494

94-506-A

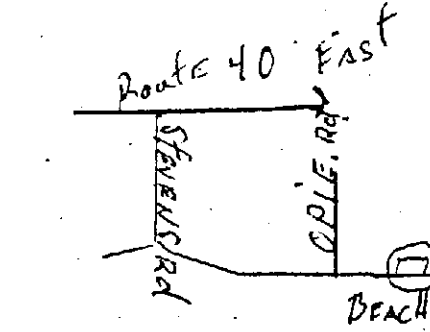
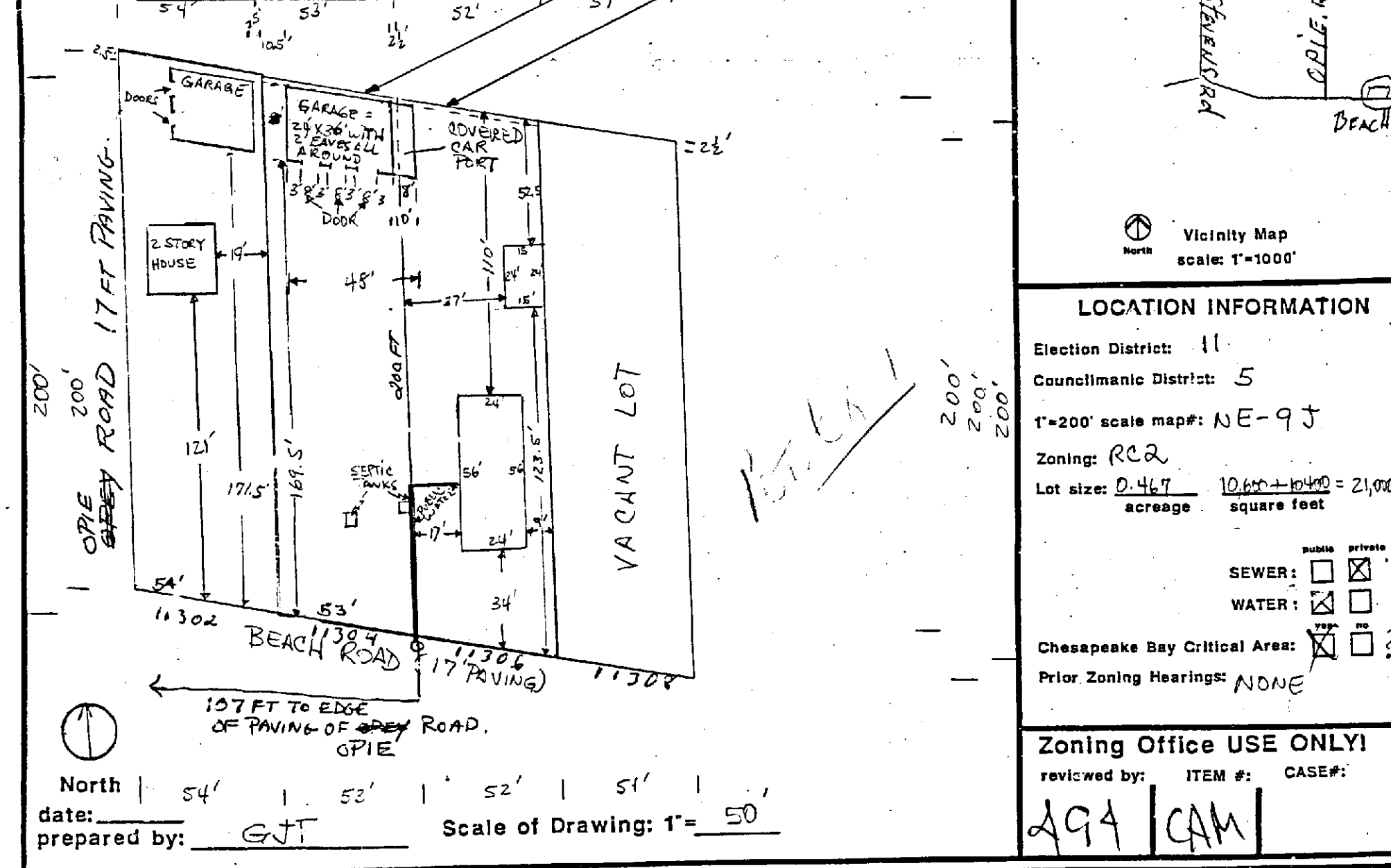
Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 11304 1/2 BEACH AVE. see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: BIRD RIVER BEACH

Plat book: 7, folio 187, lot 3334 sections

OWNER: DANIEL H. DUNST



Vicinity Map
Scale: 1" = 1000'

LOCATION INFORMATION

Election District: 11

Councilmanic District: 5

1" = 200' scale map: NE-9J

Zoning: R2A

Lot size: 0.467 acreage

10,600 + 2,100 = 12,700 square feet

SEWER: ☒ ☒

WATER: ☒ ☒

Chesapeake Bay Critical Area: ☒ ☒ Flood Zone C

Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

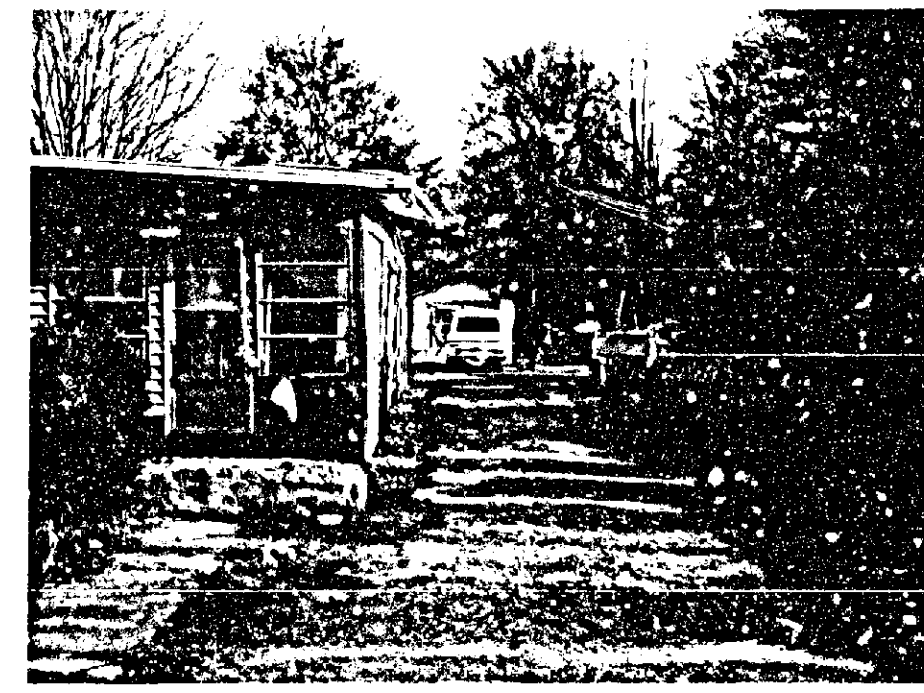
494 CAM



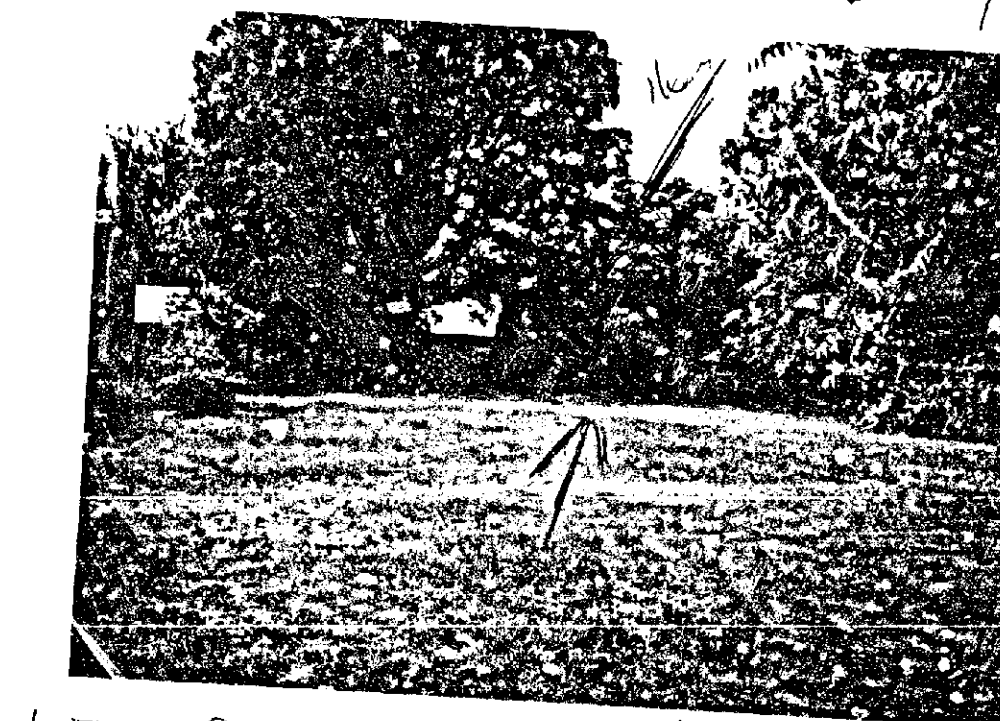
Next door neighbor home on left



Right side lot wooded



Right side lot wooded.



lot where garage is to be put.

Item Number: 494
Planner: CAM
Date Filed: 10-15-94

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Need an attorney

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- Contract purchaser's signature (need minimum 1 original signature) and/or printed name and/or address
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- Power of attorney or authorization for person signing for legal owner and/or contract purchaser
- Attorney's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
- Notary Public's section is incomplete and/or incorrect and/or commission has expired
- OWNER'S ZIP CODE

PET-FLAG (TXTSOPH)
11/17/93

Baltimore County Government Office of Zoning Administration and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

July 1, 1994

Mr. Daniel Dupont
112 North Janney Street
Baltimore, Maryland 21224

RE: Case No. 94-506-A, Item No. 494
Petition for Administrative Variance
Petitioner: Daniel Dupont

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Maryland Department of Transportation State Highway Administration

Secretary
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Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 494 (CAM)

Dear Ms. Minton:

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Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for DAVID N. CANNON, ACTING CHIEF
John Contestabile, Chief
Engineering Access Permits
Division

BS/

My telephone number is

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government Fire Department

700 East Joppa Road, Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 06/22/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: SEE BELOW

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

2. The Fire Marshal's Office has no comments at this time. IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 493, 494, 495, 496, 497, 498, 499, 500 AND 501.

RECEIVED
JUN 23 1994

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4681, MS-1105F

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: July 5, 1994

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 487, 492, 496, 497, 500, 501, 506, 507 and 509.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: Jeffrey W. Long

Division Chief: Carolyn L. Kerns

PK/JL:lw

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: June 28, 1994

SUBJECT: 11306 Beach Avenue

INFORMATION:

Item Number: 494

Petitioner: Dupont Property

Property Size:

Zoning: R.C. 2

Requested Action:

Hearing Date:

SUMMARY OF RECOMMENDATIONS:

The applicant proposes to erect a very large building that could provide an opportunity for many non-residential uses. Therefore, should the applicant's request be granted, use of the building should be limited to storage purposes only.

Prepared by: Jeffrey W. Long

Division Chief: Carolyn L. Kerns

PK/JL:lw

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

July 12, 1994

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

FROM: J. Lawrence Pilson, DEPRM
Development Coordinator, DEPRM

SUBJECT: Zoning Item #494 - Dupont Property
11306 Beach Avenue
Zoning Advisory Committee Meeting of June 27, 1994

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Environmental Impact Review

Development of the property must comply with Chesapeake Bay Critical Area Regulations by meeting the following conditions:

1. The sum of all man-made impervious areas shall not exceed 25% of the lot. Current impervious surfaces equal 1514 square feet or 7.2% of the lot.
2. All new downspouts must run across the lawn.
3. 15% forest cover is present and must be maintained.

JLP:KK:sp

DUPONT/DEPRM/TXTSRP

Baltimore County Government Office of Zoning Administration and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

July 13, 1994

Mr. Daniel Dupont
112 North Janney Street
Baltimore, Maryland 21224

RE: Case No. 94-506-A, Item No. 494
Petition for Administrative Variance

Dear Mr. Dupont:

Enclosed are copies of comments received from the Department of Environmental Protection and Resource Management on July 12, 1994 for the above-referenced case.

If there are any questions, please do not hesitate to call me at 887-3391.

Sincerely,

Charlotte Minton
Charlotte Minton

Enclosure

IN RE: PETITION FOR ADMIN. VARIANCE * BEFORE THE
N/S Beach Avenue, 107' E of * DEPUTY ZONING COMMISSIONER
Opie Road * OF BALTIMORE COUNTY
(11306 Beach Avenue) * Case No. 94-506-A
11th Election District
5th Councilmanic District
Daniel Dupont
Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the owner of the property, Daniel Dupont. The Petitioner seeks relief from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure height of 24 feet in lieu of the maximum permitted 15 feet for a proposed garage in accordance with the site plan submitted and marked as Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the

B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

It should be noted that this property is located within the Chesapeake Bay Critical Areas and as such, is subject to compliance with Critical Areas legislation. The Petitioners shall submit a findings plan for review and approval by the Department of Environmental Protection and Resource Management (DEPRM) prior to the issuance of any occupancy permits.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 13th day of July, 1994 that the Petition for Administrative Variance seeking relief from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure height of 24 feet in lieu of the maximum permitted 15 feet for a proposed garage, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) The Petitioner shall submit a findings plan for review and approval by DEPRM prior to the issuance of any occupancy permits.
- 3) The Petitioner shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartments. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.
- 4) Upon request and reasonable notice, the Petitioner shall permit a representative of the Zoning Enforcement

Division to make an inspection of the subject property to insure compliance with this Order in the event it becomes necessary to do so as a result of a complaint.

5) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

Baltimore County Government
Zoning Commission
Office of Planning and Zoning
Suite 113, Courthouse
400 Washington Avenue
Towson, MD 21204

July 13, 1994

(410) 887-4386

Mr. Daniel Dupont
112 North Janney Street
Baltimore, Maryland 21224

RE: PETITION FOR ADMINISTRATIVE VARIANCE
N/S Beach Avenue, 107' E of Opie Road
(11306 Beach Avenue)
11th Election District - 5th Councilmanic District
Daniel Dupont - Petitioner
Case No. 94-506-A

Dear Mr. Dupont:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration Office at 887-3391.

Very truly yours,

Timothy M. Kotroco

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Chesapeake Bay Critical Areas Commission
45 Calvert Street, 2nd Floor, Annapolis, Md. 21401

DEPRM; People's Counsel; File

Affidavit in support of 94-506-A Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) believe(s) that it is true and correct in the event that a public hearing is held on the subject matter of this petition.

That the Affiant(s) do(es) presently reside at: 11306 BEACH AVE 21062

Baltimore MD 21204

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate variance or practice difficulty)

THE GARAGE IS OF A 2-STORY DESIGN (AS ARE OTHER GARAGES IN THE IMMEDIATE VICINITY) AND THUS A 15 FOOT HEIGHT LIMITATION WOULD COMPROMISE THE USABILITY OF THE INTERIOR SPACE & THE INTERIOR FIRST FLOOR HEIGHT IS TO BE 8 FEET WITH 12 INCH CEILING JOISTS THAT EQUALS A TOTAL OF 8 FEET FOR HEIGHT DEDICATED TO FIRST FLOOR. THIS MEANS THAT I WOULD HAVE 6 FEET TO TOP 2' ROOF TO INCLUDE 1" USABLE SPACE FOR STORAGE.

2) REPAIRS TO EXISTING GARAGE DOOR AND EXISTING GARAGE DOOR FRAME, WHICH ARE IN POOR CONDITION, WILL BE REQUIRED TO PAY A REPAIRING AND ADVERTISING FEE AND MAY BE REQUIRED TO PROVIDE ADDITIONAL INFORMATION.

Daniel Dupont
Signature
(Type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to-wit:

I HEREBY CERTIFY, this 13 day of JULY, 19 94, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

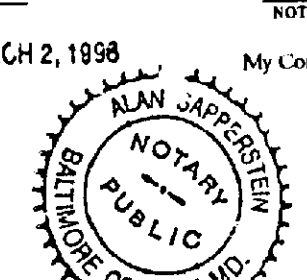
Daniel Dupont

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

11/1/94

MY COMMISSION EXPIRES MARCH 2, 1998



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 11306 BEACH AVE RC-2

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.3 TO ALLOW AN ACCESSORY STRUCTURE A HEIGHT OF 24' IN LIEU OF THE MAXIMUM 15'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

- see ATTACHED -

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchase/Lessor: Daniel Dupont

Legal Owner: Daniel Dupont

Signature: Daniel Dupont

Address: 112 NORTH JANNEY ST

City: Baltimore MD

State: MD

Zip code: 21204

Signature: Daniel Dupont

Address: 112 NORTH JANNEY ST

City: Baltimore MD

State: MD

Zip code: 21204

Signature: Daniel Dupont

Address: 112 NORTH JANNEY ST

City: Baltimore MD

State: MD

Zip code: 21204

Signature: Daniel Dupont

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City: Baltimore MD

State: MD

Zip code: 21204

Signature: Daniel Dupont

Address: 112 NORTH JANNEY ST

City: Baltimore MD

State: MD

Zip code: 21204

Signature: Daniel Dupont

Address: 112 NORTH JANNEY ST

City: Baltimore MD

State: MD

Zip code: 21204

EXAMPLE 3 - Zoning Description - 3 copies

Three copies are required. Copies of deeds cannot be used in place of this description. Use this fill-in format provided whenever possible; otherwise, type or print on 8-1/2" x 11" sheet.

ZONING DESCRIPTION FOR 11306 BEACH AVE (address)

Election District 11 Councilmanic District 5

Beginning at a point on the BEACH AVE side of (north, south, east or west)

(street on which property fronts) which is 17' PAVING (number of feet of right-of-way width)

wide at a distance of 107 FT. EAST (number of feet) (north, south, east or west)

of the OPIE ROAD (name of street)

which is 17' PAVING (number of feet of right-of-way width) wide. *Being Lot # 53+34.

Block 10338 (name of subdivision) as recorded in Baltimore County Plat

Book # WPC-7, Folio # 187, containing

10,600 (square feet and acres)

*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber 10338, Folio 187" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Example of metes and bounds: N. 87° 12' 13" E. 321.1 ft., S. 18° 27' 03" E. 87.2 ft., S. 62° 19' 00" W. 318 ft., and N. 08° 15' 22" W. 80 ft. to the place of beginning.

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 11th Date of Posting: 6/15/94

Posted for: Variance

Petitioner: Daniel Dupont

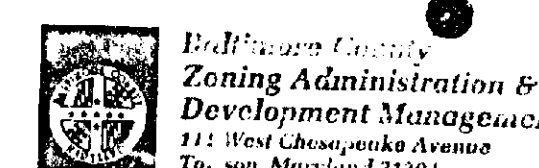
Location of property: 11306 Beach Ave, N/S

Location of Sign: Beach Ave, on Property, facing road

Remarks: None

Posted by: Timothy M. Kotroco Date of return: 7/1/94

Number of Signs: 1



CRITICAL receipt

Date: 15 Jun 94

Dupont - 11306 Beach Ave

010 - 50

080 - 35

1585.00

Account: R 0016150

Number: 494

CAM

83403402001CHRC

84 C0101, 4AM06-15-94 \$85.00

Cashier Validation